

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TAYLOR RIDGE PAVING AND)	
CONSTRUCTION CO.,)	
)	
Petitioner, Cross-Respondent,)	
v.)	Case Nos. 20-1057, 20-1102
)	
NATIONAL LABOR RELATIONS)	
BOARD,)	
)	
Respondent, Cross-Petitioner.)	
)	

**PETITIONER’S UNOPPOSED MOTION
FOR ENLARGEMENT OF TIME TO FILE THE APPENDIX AND BRIEF**

Taylor Ridge Paving and Construction Co., through counsel of record, respectfully requests an enlargement of the briefing schedule for Petitioner to file the Appendix and opening Brief, from November 1, 2020 to December 15, 2020. This enlargement of time will enable the case to continue in the Court’s Mediation Program.

In support of this Motion, Petitioner states:

1. Petitioner’s Opening Brief and Appendix are scheduled to be filed November 1, 2020.
2. This case was selected for mediation in the Court’s Mediation Program and Mediator Ernest Eisenstadt has been assigned.
3. The parties and Mediator Eisenstadt have been in regular

communication regarding matters in dispute and have exchanged information and documentation regarding their positions. The parties have continued to exchange information with the Mediator and their differences have narrowed.

4. Petitioner intends to respond to a recent proposal with the Mediator today which is expected to require additional time for the Board to respond to.

5. Consultations between the parties are expected to continue in a regular manner.

6. Counsel for the Respondent National Labor Relations Board was contacted about this motion and stated the Board has no objection to the enlargement of time sought by Petitioner. Mediator Eisenstadt is aware this motion for enlargement of time is being filed for the period requested.

7. An enlargement of time to allow the parties to continue to mediate their dispute under the auspices of the District of Columbia Circuit's Mediation Program will prejudice none of the parties or impede the presentation of the case to the Court.

WHEREFORE, for good cause shown, Petitioner Taylor Ridge Paving and Construction Co., respectfully requests this Consented to Motion for Enlargement

of Time to file the Appendix and opening Brief be extended to December 15, 2020.

Respectfully submitted.

/s/ Michael E. Avakian

Michael E. Avakian

WIMBERLY, LAWSON & AVAKIAN

1200 G Street, N.W., Suite 800

Washington, D.C. 20005

(202) 540-9704

October 30, 2020

CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMIT

Pursuant to Federal Rule of Appellate Procedure 32(a)(7)(c), the undersigned certifies this Motion complies with the type-volume limitations of Federal Rule of Appellate Procedure 27(d)(2)(A).

1. Exclusive of the exempted portions of the Motion, as provided in Fed. R. App. Proc. 32(f) and Local Rule of this Court, this Motion includes 304 words.

2. This Motion has been prepared in WordPerfect X9 with proportionally spaced typeface in 14 point Times New Roman font for text and 14 point for footnotes. As permitted by Fed. R. App. Proc. 32(g)(1), the undersigned has relied upon the word count of this word-processing system in preparing this certificate.

Respectfully submitted.

/s/ Michael E. Avakian

Michael E. Avakian

WIMBERLY, LAWSON & AVAKIAN

1200 G Street, N.W., Suite 800

Washington, D.C. 20005

(202) 540-9704

October 30, 2020

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TAYLOR RIDGE PAVING AND)
CONSTRUCTION CO.,)
))
Petitioner, Cross-Respondent),
v.)
))
NATIONAL LABOR RELATIONS)
BOARD,)
))
Respondent, Cross-Petitioner).
_____)

Case Nos. 20-1057, 20-1102

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion for Enlargement of Time was served on the following counsel utilizing the Court’s electronic case filing system on this 30th day of October 2020:

David Habenstreit
Usha Dheenan
Michael Hickson
National Labor Relations Board
1015 Half Street, S.E.
Washington, D.C. 20570

and by email to:

Mr. Ernest Isenstadt
ernestisenstadt@gmail.com
703-847-4711

/s/ Michael E. Avakian
Michael E. Avakian
WIMBERLY, LAWSON &
AVAKIAN
1200 G Street, N.W., Suite 800
Washington, D.C. 20005

